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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/836,397 | 04/17/2001 | Hark C. Chan | LOCREM-01 | 7258 |
| 23437 | 7590 | 06/21/2006 | EXAMINER | |
| HARK CHAN PO BOX 2203 CUPERTINO, CA 95015-2203 | | | NANO, SARGON N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2157 | |

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/836,397

Applicant(s)

CHAN, HARK C.

Examiner

Sargon N. Nano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/14/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 2-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to amendment filed on March 14, 2006 Claims 2 and 12 were amended, 2 – 20 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 2 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Multer et al. U.S. Patent No. 6,757,696 (referred to hereafter as Multer).

Multer discloses management server for synchronization system wherein a synchronization agent management server coupled to a network having a plurality of synchronization agents, comprising a user log in authenticator, a user data flow controller and a unique user identification (see abstract).

As to claim 2, Multer teaches a system for communication through a wide area network, said system comprising:

an apparatus comprising:

a wide area interface adapted to communication with at least one portable unit via said wide area network; and (see col. 7 lines 3 – 36 and fig. 7 , Multer discloses multiple types of networks).

a wireless local interface adapted to communicate with said at least one portable unit when said at least one portable unit is located within a domain (see col. 7 lines 3 – 36 and fig. 8, Multer discloses a PDA device communicating in a network).

said at least one portable unit comprising:

a wide area interface for communication with said apparatus via said wide area network; and (see col. 11 lines 10 – 27 and fig. 9A Multer discloses interface between many elements of the network).

a wireless local interface adapted to communicate with said apparatus when said at least one portable unit is located, within said domain; and (see col. 2 lines 2 – 7, col. 27, lines 26 – 30 Multer discloses wireless device interface and wireless device protocols).

wherein at least one member of said apparatus and said at least one portable unit generates non-deterministic digital contents ,said one member uses its wireless local interface to deliver at least one of said digital contents to another member of said apparatus and said at least one portable unit, said digital content being used by said apparatus and said at least one portable unit as identification in communication via said wide area network. (see col. 5 line 50 – col. 7 line 64 and figs.2, 3, 4, and 5, Multer discloses a synchronizer of a data system generates and allows difference information delta “ non deterministic data” to be transmitted from system A to system B).

As to claim 3, Multer teaches the system wherein said one member comprises a random number generator used for generating said digital contents. (see col. 45 lines 35 – 40).

As to claim 4, Multer teaches the wherein said apparatus and said at least one portable unit each comprises a memory for storing said at least one non-deterministic digital content. (see col. 5 line 50 – col. 7 line 64 and figs.2, 3, 4, and 5).

As to claim 5, Multer teaches the system wherein each of said wireless local interfaces comprises a radio frequency interface. (see col.6, lines 25 - 45).

As to claim 6, Multer teaches the system wherein said at least one portable unit is a cellular phone. (see col.8, line 65 – col. 9 line 37).

As to claim 7, Multer teaches the system wherein said at least one portable unit is a personal digital assist device. (see fig. 8 item # 804).

As to claim 8, Multer teaches the system wherein said at least one digital content comprises an algorithm. (see col.).

As to claim 9, Multer teaches the system wherein said at least one digital content comprises a digital code (see col.32 lines 16 - 32).

As to claim 10, Multer teaches the system wherein said wireless local interface of said apparatus and said at least one portable unit performs authentication in delivering said at least one digital content. (see col.22 lines 16 - 40).

As to claim 11, Multer teaches the system wherein said one member can detect a presence of said another member and delivers said at least one digital content to said

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another member automatically without user intervention (see col.5 line 50 – col. 6 line 63).

As to claim 12, Multer teaches a method for an apparatus and a portable unit to communicate through a wide area network, comprising:

generating digital contents by one of the apparatus and the portable (see col. 5 line 50 – col. 7 line 64 and figs.2, 3, 4, and 5);

while the apparatus and portable unit are within a domain, wirelessly delivering at least one of the digital contents by the one of the apparatus and the portable unit to another of the apparatus and the portable unit(see col. (see col. 5 line 50 – col. 7 line 64 and figs.2, 3, 4, and 5); and

using the at least one of the digital contents as identification in communication between the apparatus and the portable unit via the wide area network(see col. 22 lines 16 - 40).

As to claim 13, Multer teaches the method of claim 12 wherein the one of the apparatus and the portable unit comprises a random number generator for generating the digital contents (see col. 45 lines 35 - 40).

As to claim 14, Multer teaches the method of claim 12 wherein the delivering is conducted using radio frequency signals (see col.6, lines 25 - 45).

As to claim 15, Multer teaches the method of claim 12 wherein the portable unit is a cellular phone (see col.6, lines 25 - 45).

As to claim 16, Multer teaches the method of claim 12 wherein the portable unit is a personal digital assist device (see fig. 8 item # 804).

As to claim 17, Multer teaches the method of claim 12 wherein the at least one digital content comprises an algorithm (see fig. 8 item # 804).

As to claim 18, Multer teaches the method of claim 12 wherein the at least one digital content comprises a digital code (see col. 22 line 16 - 22).

As to claim 19, Multer teaches the method of claim 12 wherein the delivering comprises authenticating at least one of the apparatus and the portable unit (see col. 22 line 16 - 40).

As to claim 20, Multer teaches the method of claim 12 wherein the one of the apparatus and portable unit can detect a presence of the another of the apparatus and the portable unit and deliver the at least one digital content to the another automatically without user intervention (see col. Co. 5 line 50 – col. 6 line 63).

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N. Nano whose telephone number is (571) 272-4007. The examiner can normally be reached on 8 hour.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano
June 1, 2006


ARIO ETIENNE
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